

## **IC 20-10.1-10**

### **Chapter 10. Textbook Rental, Storage, and Disposal**

## **IC 20-10.1-10-1**

### **Mandatory purchase and rental; public school students**

Sec. 1. (a) Except as provided in subsections (b) and (c) and all laws to the contrary notwithstanding, each governing body shall purchase from a contracting publisher, at the net contract price or at any subsequent lower price, the textbooks adopted by the Indiana state board of education and selected by the proper local officials, and shall rent these textbooks to each student enrolled in any public school which is in compliance with the minimum certification standards of the Indiana state board of education and is located within the attendance unit served by the governing body.

(b) This section does not prohibit the purchase of these textbooks at the option of any student or the providing of free textbooks by the governing body under IC 20-10.1-11.

(c) This section does not prohibit a governing body from suspending the operation of this section under a contract entered into under IC 20-5-62.

*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by P.L.20-1984, SEC.145; P.L.196-1995, SEC.4.*

## **IC 20-10.1-10-2**

### **Purchase and rental; rental fee; limitations**

Sec. 2. (a) Each governing body may purchase from a contracting publisher, at the net contract price or at any subsequent lower price, any textbook adopted by the state board of education and selected by the proper local officials, and may rent these textbooks to students enrolled in any public or nonpublic school which is in compliance with the minimum certification standards of the state board of education and is located within the attendance unit served by the governing body, at an annual rental not to exceed twenty-five percent (25%) of the retail price of the textbooks.

(b) However, the governing body may not assess a rental fee of more than fifteen percent (15%) of the retail price of a textbook that has been:

- (1) adopted for usage by students under IC 20-10.1-9;
- (2) extended for usage by students under IC 20-10.1-9-1(b); and
- (3) paid for through rental fees previously collected.

(c) This section does not limit any other laws but is supplementary.

*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by P.L.20-1984, SEC.146; P.L.228-1987, SEC.6.*

## **IC 20-10.1-10-3**

### **Obsolete textbooks; conveyance; distribution to parents or residents; storage**

Sec. 3. (a) Upon a written determination by the governing body of a school corporation that any textbooks are no longer scheduled for

use in the school corporation, the governing body may sell, exchange, transfer, or otherwise convey the textbooks in the manner determined suitable by the governing body. However, in order to mutilate or otherwise destroy the textbooks, the governing body must first comply with the following provisions:

- (1) Subsection (b).
- (2) Subsection (c).
- (3) Section 4 of this chapter.
- (4) Section 5 of this chapter.

(b) Before a governing body may mutilate or otherwise destroy a textbook, the governing body shall provide at no cost and subject to availability one (1) copy of each textbook that is no longer scheduled for use in the school corporation to:

- (1) the parent of each child who is enrolled in the school corporation and who wishes to receive a copy of the textbook; and
- (2) if any textbooks remain after distribution under subdivision (1), to any resident of the school corporation who wishes to receive a copy of the textbook.

(c) If a governing body does not sell, exchange, transfer, or otherwise convey unused textbooks under subsection (a) or (b), each public elementary and secondary school shall provide storage for at least three (3) months for these textbooks in the school corporation. Each school corporation may, however, sell or otherwise convey these textbooks to another school corporation at any time during the period of storage.

*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by P.L.162-1991, SEC.1; P.L.157-1997, SEC.1.*

#### **IC 20-10.1-10-4**

##### **State master list; textbook requests**

Sec. 4. (a) Each school corporation shall compile a list of those textbooks in storage, under section 3(b) of this chapter, including the names of the publisher and the number of volumes being stored. This list shall be mailed to the department of education where a master list of all textbooks being stored by the school corporations shall be maintained.

(b) Upon request, the state superintendent shall mail to any inquiring not-for-profit corporation or institution located in this state a list of textbooks available for their access. These corporations or institutions may acquire the necessary textbooks from the appropriate school corporation by paying only the cost of shipping and mailing.  
*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by P.L.20-1984, SEC.147; P.L.162-1991, SEC.2.*

#### **IC 20-10.1-10-5**

##### **Disposal of obsolete textbooks**

Sec. 5. Textbooks being stored for at least three (3) months under section 3(b) of this chapter may not be mutilated or destroyed and shall be maintained and stored according to regulations prescribed by

local and state health authorities. Textbooks which have not been requested after at least three (3) months may be mutilated, destroyed, or otherwise disposed of by the school corporation.

*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by P.L.162-1991, SEC.3.*